



RCE & JFW
Atty. Dkt. No. 040283-0196

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan Richard Anthony ROFFEY et al.

Title: Condensed Indoline Derivatives and their use as 5HT, in particular 5HT2C, Receptor Ligands

Appl. No.: 10/009,567

Appl. Filing Date: 04/05/2002

Examiner: Rebecca L. Anderson

Art Unit: 1626

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on ____.

Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

08/18/2004 ANAB11 00000036 10009567
420.00 OP
02 FC:1252

770.00 OP
00000036 10009567
08/18/2004 ANAB11
01 FC:1801

[] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

[] Other ____.

b. Enclosed are:

[X] Preliminary Amendment.

[] Affidavit(s)/Declaration(s).

[] Information Disclosure Statement.

[] Form PTO-1449 with copies of ____ listed reference(s).

[X] Other Request for Reconsideration of Decision on Petition Against Restriction Requirement.

Miscellaneous:

[] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|-----------|------------|
| RCE Fee 1.17(e): | | | | \$770.00 | = \$770.00 |
| Total Claims: | 24 | - | 31 =0 | x \$18.00 | = \$0.00 |
| Independents | 1 | - | 7 =0 | x \$86.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | + \$290.00 | = | \$0.00 |
| | | | CLAIMS FEE TOTAL: | = | \$770.00 |

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | | |
|-------------------------------------|---|------------|---|-----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$110.00 | 0 | \$0.00 |
| <input checked="" type="checkbox"/> | Extension for response filed within the second month: | \$420.00 | | \$420.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$950.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,480.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,010.00 | | \$0.00 |
| | EXTENSION FEE SUBTOTAL: | | | \$420.00 |
| | EXTENSION FEE ALREADY PAID: | - | | \$0.00 |
| | EXTENSION FEE TOTAL | | | \$420.00 |
| | CLAIMS AND EXTENSION FEE TOTAL: | | | \$1190.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | | \$0.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | | \$0.00 |
| | TOTAL FEE: | | | \$1190.00 |

Please charge Deposit Account No. 19-0741 in the amount of \$1190.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$1190.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

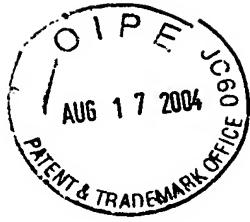
Respectfully submitted,



Date August 17, 2004

FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

Matthew E. Mulkeen
Attorney for Applicants
Registration No. 44,250



Atty. Dkt. No. 040283-0196

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan Richard Anthony ROFFEY et al.
Title: CONDENSED INDOLINE DERIVATIVES AND THEIR USE AS SHT, IN PARTICULAR 5HT2C, RECEPTOR LIGANDS
Appl. No.: 10/009,567 Filing Date: 04/05/2002
Examiner: Rebecca L. Anderson Art Unit: 1626

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed March 19, 2004, please amend the application as follows. This document is being filed concurrently with a Request for Continued Examination.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks begin on page 6 of this document,